

## **BOARD MEETING MINUTES**

**APRIL 26 & 27, 2001  
BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS  
RADISSON HOTEL HARBOR VIEW  
1646 FRONT STREET  
SAN DIEGO, CALIFORNIA  
(619) 239-6800**

**Friday, April 27, 2001**

**BOARD MEMBERS PRESENT:** Kathryn Hoffman (President), Vince DiTomaso (Vice-President), James Foley, Andrew Hopwood, Gregg Brandow, Marilyn Lyon, Myrna Powell, Millicent Safran, and Quang Vu.

**BOARD MEMBERS ABSENT:** David Chen and Steve Lazarian

**BOARD STAFF PRESENT:** Cindi Christenson (Executive Officer), Gary Duke (Legal Counsel), Susan Ruff (Liaison Deputy Attorney General), Nancy Eissler (Attorney General Liaison Analyst), David Brown (Special Assistant to the Executive Officer), Cindy Morris-Hoppe (Executive Analyst), Howard Brunner (Staff Land Surveyor Consultant), Janece Sargis (Examination Analyst), and Debbie Thompson (Budget Analyst)

**PUBLIC PRESENT:** SEE ATTACHED

- 1. Roll Call to Establish a Quorum**  
The meeting was called to order by President Hoffman at 9:05 a.m. Roll call was taken and a quorum was established.
- 2. Public Comment**  
There was no public comment.
- 3. Closed Session**  
The Board went into closed session at 9:10 a.m.

#### **4. Open Session to Announce the Results of Closed Session**

Ms. Christenson reported that the Board discussed pending litigation.

Ms. Christenson reported that the Board approved the appeal results from the October 2000 Examinations.

Ms. Christenson also reported that the Board approved for licensure those candidates who recently passed the Board's Laws and Rules Examination and had previously passed the 8-hour section of the Civil and Mechanical examination(s). Civil candidates have also passed the Seismic Principles and Engineering Surveying examination from the October 2000 examinations.

#### **5. a Approval of the Minutes of the March 15, 2001 Teleconference Board Meeting.**

**MOTION:** Mr. Hopwood/Ms. Lyon moved to approve the minutes of the March 15, 2001 Teleconference Board Meeting.

**VOTE:** 9-0, motion carried

#### **5. b Approval of Consent Items**

**MOTION:** Mr. Hopwood/Ms. Lyon moved to approve for licensure those candidates who meet all requirements based on appeal results of the October 2000 examinations.

**VOTE:** 9-0, motion carried

#### **6. Approval of Delinquent Reinstatements**

**MOTION:** Mr. Foley/Mr. Hopwood moved to approve the Delinquent Reinstatements as follows:

##### **Civil**

##### **1. David Antonson**

Reinstate applicant's civil license once he takes and passes the Board's Laws and Rules Examination and pays all required delinquent fees.

##### **2. Peter Chang**

Reinstate applicant's civil license once he takes and passes the Seismic Principles Examination, the

Engineering Surveying Examination, the Board's Laws and Rules Examination, and pays all required delinquent renewal fees.

**3. Grace Kang**

Reinstate applicant's civil and structural license once she takes and passes the Seismic Principles Examination, the Engineering Surveying Examination, the Board's Laws and Rules Examination, and pays all required delinquent renewal fees.

**4. Donald Lewin**

Reinstate applicant's civil license once he takes and passes the NCEES Civil Examination, the Seismic Principles Examination, the Engineering Surveying Examination, the Board's Laws and Rules Examination.

**5. Virgilio Maravillas**

Reinstate applicant's civil license once he takes and passes the Seismic Principles Examination, the Engineering Surveying Examination, the Board's Laws and Rules Examination, and pays all required delinquent renewal fees.

**6. Kenneth Rasmussen**

Reinstate applicant's civil license once he takes and passes the Seismic Principles Examination, the Engineering Surveying Examination, the Board's Laws and Rules Examination.

**7. David Talcott**

Reinstate applicant's civil license once he takes and passes the Board's Laws and Rules Examination.

**Mechanical**

**1. Sheau T Hsu**

Reinstate applicant's mechanical license once he takes and passes the Board's Laws and Rules Examination and pays all required delinquent fees.

**2. Robert D Penrod**

Reinstate applicant's mechanical license once he takes and passes the Board's Laws and Rules Examination and pays all required delinquent fees.

## **Traffic**

### **1. Roger Young**

Reinstate applicant's traffic license once he takes and passes the Board's Laws and Rules Examination and pays all required delinquent renewal fees.

**VOTE:** 9-0, motion carried

## **7. Comity and Temporary Authorization Applications**

**MOTION:** Mr. Foley/Mr. Hopwood moved to approve the comity applicants shown on pages 27 & 28 of the agenda.

**VOTE:** 9-0, motion carried.

**MOTION:** Mr. Foley/Mr. Hopwood moved to approve the following Chemical applicant for licensure by waiving the second division examination (NCEES Chemical Engineering examination) because the applicant has the appropriate experience, has taken and passed both an 8-hour NCEES EIT examination, and an 8-hour NCEES PE examination, has taken and passed the take-home examination, and is licensed in an other state.

### **1. Katherine M Poppen**

**VOTE:** 9-0, motion carried

**MOTION:** Mr. Foley/Mr. Hopwood moved to approve the following Civil applicants to set for the Seismic Principle and Engineering Surveying Examination and waive the second division examination (NCEES Civil Engineering examination) because the applicants have the appropriate experience, have taken and passed an 8-hour NCEES examination, and are registered in other states. In order to obtain registration, the applicants must still take and pass the Seismic Principles, Engineering Surveying, and take-home examinations.

- 1. Bejun Anklesaria**
- 2. Nandkumar Halbe**

**3. Mohsen Loghmani**

**VOTE:** 9-0, motion carried

**MOTION:** Mr. Foley/Mr. Hopwood moved to approve the following Civil applicants to set for the Seismic Principles and Engineering Surveying Examinations and waive the second division examination (NCEES Civil Engineering examination) because the applicants have the appropriate experience, have taken and passed an 8-hour NCEES Structural 1 examination, and are registered in other states. In order to obtain registration, the applicants must still take and pass the seismic principles, engineering surveying, and the take-home examination.

- 1. Kenneth Cadman**
- 2. Stephen Crockett**
- 3. Nhi Phan**

**VOTE:** 9-0, motion carried

**MOTION:** Mr. Foley/Mr. Hopwood moved to approve the following Civil applicants to set for the Seismic Principles and Engineering Surveying Examinations and waive the second division examination (NCEES Civil Engineering examination) because the applicants have the appropriate experience, have taken and passed a 16-hour NCEES Structural examination, and are registered in other states. In order to obtain registration, the applicants must still take and pass the seismic principles, engineering surveying, and the take-home examinations.

- 1. Jennifer Hu**
- 2. Robert Hutchinson**

**VOTE:** 9-0, motion carried

**MOTION:** Mr. Foley/Mr. Hopwood moved to approve the following Electrical applicants for licensure by waiving the second division examination (NCEES Electrical Engineering examination) because the applicants have the appropriate experience, have taken and passed an 8-hour NCEES EIT

examination, an 8-hour NCEES PE examination, the take-home examination, and are licensed in other states.

1. **William F Colby**
2. **Stanley C Houk**

**VOTE:** 9-0, motion carried

**MOTION:** Mr. Foley/Mr. Hopwood moved to approve the following Mechanical applicant for licensure by waiving the second division examination (NCEES Mechanical Engineering examination) because the applicant has the appropriate experience, has taken and passed both an 8-hour NCEES EIT examination, and an 8-hour NCEES PE examination, is licensed in another state, and has taken and passed the take-home examination.

1. **Joseph M Cahill**

**VOTE:** 9-0, motion carried

## **7. Temporary Authorization Applications**

President Hoffman reviewed Business & Professions Code Section 6760 regarding Temporary Licensure.

**MOTION:** Mr. Hopwood/Mr. Foley moved to approve the temporary civil license for Mr. James Chaffee for 180 days.

**VOTE:** 9-0, motion carried

**MOTION:** Dr. Brandow/Mr. Hopwood moved to approve the temporary civil license for Mr. Michael Harrison for 180 days.

**VOTE:** 9-0, motion carried

**MOTION:** Mr. Foley/Mr. Hopwood moved to approve the temporary civil license for Mr. Austin Huang for 180 days.

**VOTE:** 7-2, motion carried, Ms. Powell and Ms. Safran nay.

**MOTION:** Ms. Powell/Ms. Safran moved to approve the temporary civil license for Mr. Vince Roberts for 180 days.

**VOTE:** 9-0, motion carried

Mr. Hopwood recused himself from the discussion and vote regarding David Vinson & Bret Yeary.

**MOTION:** Mr. Foley/Mr. Vu moved to approve the temporary civil license for Mr. David Vinson for 180 days.

**VOTE:** 8-0-1, motion carried, Mr. Hopwood abstained.

**MOTION:** Mr. Foley/Ms. Lyon moved to approve the temporary civil license for Mr. Bret Yeary for 180 days.

**VOTE:** 8-0-1, motion carried, Mr. Hopwood abstained.

**8. Committee Reports**

**a. Administrative**

**1. Report on the April 26, 2001 Committee Meeting.**

Vice-President DiTomaso reported on the meeting.

**2. Administrative Update**

**a. Fund Condition**

Application revenue increased to 2 million for this fiscal year. Board staff still projects a deficit in FY 2003/04.

**b. FY 2000/01 Budget**

AG Enforcement expenditure projections have been increased by \$30,000 and the Board reduced its budget projections in other areas to cover this increase.

**c. FY 2001/02 Budget**

The Board's Expenditure Budget for FY 2001/02 will increase by \$397,706 to cover cost of Title Acts Study BCP, DCA prorata and other various Salary, Wages, and benefit increases.

**d. FY 2002/03 Budget Change Proposal Concept Papers**

**MOTION:** Vice-President DiTomaso/ Mr. Vu moved to approve the concept paper for a BCP and directed Board staff to prepare recommendations on the amount of funds available to use for an increase in the \$75 per hour rate paid to technical expert witnesses. The Enforcement Committee will develop policies & procedures for Board approval regarding how technical experts are recruited and paid.

**VOTE:** 9-0, motion carried

**MOTION:** Vice-President DiTomaso/ Mr. Vu moved to approve the concept paper for a Budget Change Proposal (BCP) requesting \$144,000 increase in the Board's budget to cover the increased costs the Board will incur to convert to the use of the National PLS and SE examinations.

**VOTE:** 9-0, motion carried

**MOTION:** Vice-President DiTomaso/ Mr. Vu moved to approve the concept paper a BCP requesting \$90,000 on-going increase in the Board's Travel Budget.

**VOTE:** 9-0, motion carried

**MOTION:** Vice-President DiTomaso/ Mr. Vu moved to approve the concept paper for a BCP to increase the hourly rate paid to Subject Matter Experts from \$22.21 per hour to an hourly rate not to exceed \$42 per hour. The Exam/Qual Committee will develop policies and procedures for Board approval



regarding the hourly rates paid to Subject Matter Experts.

**VOTE:** 9-0, motion carried

**e. Outreach Efforts**

Board staff will ensure that Board members are notified ahead of time, if possible, on details of outreach schedule.

**f. Data Management System**

The Board will no longer pursue "Document Management System" as those are now obsolete. The Board will begin working with DCA and other State agency staff who are key players in the State's and the Board's pursuit of "Knowledge Management System."

**g. Strategic Plan**

Board staff has completed the Strategic Plan and will have copies available once a vendor is chosen to print the plan.

Ms. Christenson stated that the Strategic Plan has to be to DCA by June 1, 2001.

**h. Title Act Study**

The contract has been finalized and the work is now in progress. A meeting with Board staff, DCA, and the CSUS Institute for Social Research will be held on May 2, 2001.

**b. Enforcement**

**1. Report on the April 26, 2001 Committee Meeting.**

Dr. Brandow reported on the meeting.

**2. Electronic Signatures and Possible Amendments to Board Rule 411.**

Mr. Duke reported on this item.

**MOTION:** Ms. Safran/Vice-President DiTomaso moved to direct staff to begin the rulemaking process to amend Board Rule 411 to specifically recognize the use of electronic signatures.

**VOTE:** 9-0, motion carried

**3. Development and Adoption of Regulations Regarding a Code of Professional Conduct.**

At the June Committee meeting, the Committee will review and discuss staff's initial draft of the proposed regulating language.

**c. Examination/Qualifications**

**1. Report on the April 26, 2001 Committee Meeting.**

Mr. Foley reported on the meeting.

**2. Granting of Five-Year Credit for Applicant's Who Possess Master's Degrees from ABET Accredited Programs.**

Mr. Duke distributed his proposed changes to Board Rule 460.

**MOTION:** Mr. Foley/ Ms. Powell moved to direct staff to begin the rulemaking process to amend Board Rule 460, as drafted by Mr. Duke

**VOTE:** 9-0, motion carried

**d. Legislative**

**1. Report on the April 26, 2001, Committee Meeting**

Ms. Safran reported on the meeting.

**3. Pending Legislation for 2001 Legislative Session, including but not limited to: SB 26 (Figueroa), SB 136 (Figueroa), SB 1045 (Polanco), AB 269 (Correa) and others.**

**MOTION:** Ms. Safran/Ms. Powell moved to take an Oppose Unless Amended position on SB 662 (Judiciary Committee).

**VOTE:** 9-0, motion carried

Ms. Safran reported that SB 136, the Board's Sunset Bill, is scheduled to be heard in the Senate Business & Professions Committee on Monday, April 30, 2001.

The language regarding the Board's fiscal restructuring will be amended into the bill at the hearing.

**9. Technical Advisory Committee Reports**

**a. Land Surveying (no meeting)**

**1. Appointment of LS-TAC Members**

**MOTION:** Mr. Foley/Ms. Powell moved to approve reappointment of Mr. Daniel Moye, P.L.S. and Mr. Richard Ray, P.L.S., to the Professional Land Surveyor Technical Advisory Committee for their second term consisting of a two year duration.

**VOTE:** 9-0, motion carried

Mr. Foley reported that the next LS TAC meeting will be May 10, 2001.

**b. Civil/Geotechnical Engineering (no meeting)**

**1. Appointment of CE-TAC and GE-TAC Members**

**MOTION:** Mr. Foley/Mr. Hopwood moved to approve that Michael Brown and John Anderson be reappointed for a second term on the GE-TAC, terms to expire June 30, 2002, and that Larry Rogoway be reappointed for a second term on the CE-TAC, term to expire June 30, 2002.

**VOTE:** 9-0, motion carried

**MOTION:** Mr. Foley/Mr. Hopwood moved to approve that Anthony Dover and John Moossazadeh be reappointed for a second term on the GE-TAC, terms to expire June 30, 2003, and that Webb Owen be

reappointed for a second term on the CE-TAC, term to expire June 30, 2003.

**VOTE:** 9-0, motion carried

**MOTION:** Mr. Foley/Mr. Hopwood moved to approve that Dr. Hei Yip Lee be appointed as a member of the GE-TAC, term to expire June 30, 2003, and that Jeff Kuo, Susan Tappan, and John Henry be appointed as members of the CE-TAC, terms to expire June 30, 2003.

**VOTE:** 9-0, motion carried

**c. Mechanical Engineering (no meeting)**

Mr. Vu reported that the next ME TAC meeting will be sometime around the end of May 2001.

**d. Electrical Engineering**

**1. Report on the March 1, 2001, EE-TAC meeting.**

Vice-President DiTomaso reported that the main topic discussed was the energy problem.

**e. Structural Engineering (no meeting)**

Dr. Brandow reported that the next SE-TAC meeting will be held sometime in June 2001.

**10. Liaison Reports**

**a. ABET**

President Hoffman asked Mr. Stout to update the Board on ABET activities.

Mr. Stout gave an update.

**b. NCEES**

**1. Western Zone Meetings**

Ms. Christenson reported that one of the items for discussion at the upcoming Western Zone meeting would be changes to the NCEES Constitution and Bylaws.

## **2. Computer Based Testing**

Ms. Christenson reported that all data and research has been compiled.

Ms. Christenson also reported that market research shows people are not yet ready for Computer Based Testing.

## **c. Technical and Professional Societies**

Mr. Vu reported that he will be attending the CELSOC Annual meeting the first week in May 2001.

## **11. President's Report**

President Hoffman reported that she will be appointing a nominating Committee to nominate the President and Vice-President for next year.

## **12. Executive Officer's Report**

Ms. Christenson reported that the examinations administered April 20 & 21, 2001, went very well.

### **1. Administration Report**

#### **a. Executive Summary Report**

Ms. Christenson reported on the Executive Summary Report.

### **2. Personnel**

#### **a. New Hires & Vacancies**

No Report Given

### **3. Publications/ Website**

#### **a. Website Activity**

No Report Given

#### **b. Bulletin**

No Report Given

**c. Law Publication**

No Report Given

**d. Consumer Guide**

No Report Given

**4. Other**

**a. DCA Update**

Ms. Christenson reported that there have been some problems with the way travel claims are being processed by DCA. She will be meeting with DCA to resolve this issue.

**13. Approval of Board Travel**

No action taken by the Board on this item.

**14. Other Items Not Requiring Board Action**

**a. Presentation of Proclamation to Marilyn Lyon, Myrna Powell, and Quang Vu.**

President Hoffman presented proclamations to outgoing Board members Marilyn Lyon, Myrna Powell, and Quang Vu for their outstanding contributions to the Board and to the public.

**b. Next Board Meeting: June 7 & 8, 2001, Sacramento, Board Office.**

President Hoffman requested that an item regarding the appointment and reappointment of NCEES Emeritus members be included on the next Board Meeting Agenda.

**15. Adjourn**

The Board adjourned at 2:30 p.m.

## **PUBLIC PRESENT**

Tom Stout  
Masood Omar, PEGG  
Eugene Weatherby, CELSOC  
Steve Hao, CalTrans  
George Shambeck  
Jim Chaffee, Earth Tech  
Vince Roberts  
Vance Breshears  
Michael W. Harrison  
Carroll Witter

